

109TH CONGRESS
1ST SESSION

H. R. 798

To provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2005

Mr. GORDON (for himself, Mr. CALVERT, Mr. BOEHLERT, Mr. DAVIS of Tennessee, Mr. JENKINS, Ms. WOOLSEY, Mr. COOPER, Mr. CASE, Mr. ETHERIDGE, Mr. BAIRD, Mr. WU, Mr. LARSEN of Washington, Mr. MATHESON, Mr. BOSWELL, Mr. LATHAM, Mr. COSTELLO, Mr. MCINTYRE, Mr. UDALL of Colorado, Mr. CRAMER, Ms. BORDALLO, Mr. MELANCON, Mr. AL GREEN of Texas, Mr. CARNAHAN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Science

A BILL

To provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Methamphetamine Re-
5 mediation Research Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Methamphetamine use and production is
2 growing rapidly throughout the United States.

3 (2) Materials and residues remaining from the
4 production of methamphetamine pose novel environ-
5 mental problems in locations where methamphet-
6 amine laboratories have been closed.

7 (3) There has been little standardization of
8 measures for determining when the site of a closed
9 methamphetamine laboratory has been successfully
10 remediated.

11 (4) Initial cleanup actions are generally limited
12 to removal of hazardous substances and contami-
13 nated materials that pose an immediate threat to
14 public health or the environment. It is not uncom-
15 mon for significant levels of contamination to be
16 found throughout residential structures after a
17 methamphetamine laboratory has closed, partially
18 because of a lack of knowledge of how to achieve an
19 effective cleanup.

20 (5) Data on methamphetamine laboratory-re-
21 lated contaminants of concern are very limited, and
22 cleanup standards do not currently exist. In addi-
23 tion, procedures for sampling and analysis of con-
24 taminants need to be researched and developed.

1 (6) Many States are struggling with estab-
2 lishing remediation guidelines and programs to ad-
3 dress the rapidly expanding number of methamphet-
4 amine laboratories being closed each year.

5 **SEC. 3. VOLUNTARY GUIDELINES.**

6 (a) ESTABLISHMENT OF VOLUNTARY GUIDELINES.—
7 Not later than one year after the date of enactment of
8 this Act, the Assistant Administrator for Research and
9 Development of the Environmental Protection Agency (in
10 this Act referred to as the “Assistant Administrator”), in
11 consultation with the National Institute of Standards and
12 Technology, shall establish voluntary guidelines, based on
13 the best currently available scientific knowledge, for the
14 remediation of former methamphetamine laboratories, in-
15 cluding guidelines regarding preliminary site assessment
16 and the remediation of residual contaminants.

17 (b) CONSIDERATIONS.—In developing the voluntary
18 guidelines under subsection (a), the Assistant Adminis-
19 trator shall consider, at a minimum—

20 (1) relevant standards, guidelines, and require-
21 ments found in Federal, State, and local laws and
22 regulations;

23 (2) the varying types and locations of former
24 methamphetamine laboratories; and

1 (3) the expected cost of carrying out any pro-
2 posed guidelines.

3 (c) STATES.—The voluntary guidelines should be de-
4 signed to assist State and local governments in the devel-
5 opment and the implementation of legislation and other
6 policies to apply state-of-the-art knowledge and research
7 results to the remediation of former methamphetamine
8 laboratories. The Assistant Administrator shall work with
9 State and local governments and other relevant non-Fed-
10 eral agencies and organizations, including through the
11 conference described in section 5, to promote and encour-
12 age the appropriate adoption of the voluntary guidelines.

13 (d) UPDATING THE GUIDELINES.—The Assistant
14 Administrator shall periodically update the voluntary
15 guidelines as the Assistant Administrator, in consultation
16 with States and other interested parties, determines to be
17 necessary and appropriate to incorporate research findings
18 and other new knowledge.

19 **SEC. 4. RESEARCH PROGRAM.**

20 The Assistant Administrator shall establish a pro-
21 gram of research to support the development and revision
22 of the voluntary guidelines described in section 3. Such
23 research shall—

24 (1) identify methamphetamine laboratory-re-
25 lated chemicals of concern;

1 (2) assess the types and levels of exposure to
2 chemicals of concern identified under paragraph (1),
3 including routine and accidental exposures, that may
4 present a significant risk of adverse biological ef-
5 fects, and the research necessary to better address
6 biological effects and to minimize adverse human ex-
7 posures;

8 (3) evaluate the performance of various meth-
9 amphetamine laboratory cleanup and remediation
10 techniques; and

11 (4) support other research priorities identified
12 by the Assistant Administrator in consultation with
13 States and other interested parties.

14 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

15 (a) CONFERENCE.—Not later than 90 days after the
16 date of enactment of this Act, and at least every third
17 year thereafter, the Assistant Administrator shall convene
18 a conference of appropriate State agencies, as well as indi-
19 viduals or organizations involved in research and other ac-
20 tivities directly related to the environmental, or biological
21 impacts of former methamphetamine laboratories. The
22 conference should be a forum for the Assistant Adminis-
23 trator to provide information on the guidelines developed
24 under section 3 and on the latest findings from the re-
25 search program described in section 4, and for the non-

1 Federal participants to provide information on the prob-
2 lems and needs of States and localities and their experi-
3 ence with guidelines developed under section 3.

4 (b) REPORT.—Not later than 3 months after each
5 conference, the Assistant Administrator shall submit a re-
6 port to the Congress that summarizes the proceedings of
7 the conference, including a summary of any recommenda-
8 tions or concerns raised by the non-Federal participants
9 and how the Assistant Administrator intends to respond
10 to them. The report shall also be made widely available
11 to the general public.

12 **SEC. 6. RESIDUAL EFFECTS STUDY.**

13 (a) STUDY.—Not later than 6 months after the date
14 of enactment of this Act, the Assistant Administrator shall
15 enter into an arrangement with the National Academy of
16 Sciences for a study of the status and quality of research
17 on the residual effects of methamphetamine laboratories.
18 The study shall identify research gaps and recommend an
19 agenda for the research program described in section 4.
20 The study shall pay particular attention to the need for
21 research on the impacts of methamphetamine laboratories
22 on—

23 (1) the residents of buildings where such lab-
24 oratories are, or were, located, with particular em-
25 phasis given to biological impacts on children; and

1 (2) first responders.

2 (b) REPORT.—Not later than 3 months after the
3 completion of the study, the Assistant Administrator shall
4 transmit to Congress a report on how the Assistant Ad-
5 ministrator will use the results of the study to carry out
6 the activities described in sections 3 and 4.

7 **SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND**
8 **DEVELOPMENT PROGRAM.**

9 The Director of National Institute of Standards and
10 Technology, in consultation with the Assistant Adminis-
11 trator, shall support a research program to develop—

12 (1) new methamphetamine detection tech-
13 nologies, with emphasis on field test kits and site de-
14 tection; and

15 (2) appropriate standard reference materials
16 and validation procedures for methamphetamine de-
17 tection testing.

18 **SEC. 8. SAVINGS CLAUSE.**

19 Nothing in this Act shall be construed to add to or
20 limit the regulatory authority of the Environmental Pro-
21 tection Agency.

22 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) ENVIRONMENTAL PROTECTION AGENCY.—There
24 are authorized to be appropriated to the Environmental

1 Protection Agency to carry out this Act \$3,000,000 for
2 each of the fiscal years 2006 through 2009.

3 (b) NATIONAL INSTITUTE OF STANDARDS AND
4 TECHNOLOGY.—There are authorized to be appropriated
5 to the National Institute of Standards and Technology to
6 carry out this Act \$1,500,000 for each of the fiscal years
7 2006 through 2009.

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